

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

CHAIRMAN:
John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Kathryn H. Vratil
United States District Court
District of Kansas

David R. Hansen
United States Court of Appeals
Eighth Circuit

W. Royal Furgeson, Jr.
United States District Court
Northern District of Texas

Frank C. Damrell, Jr.
United States District Court
Eastern District of California

David G. Trager
United States District Court
Eastern District of New York

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

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February 25, 2010

NOTICE OF HEARING SESSION

Dear Counsel:

Pursuant to the order of the Judicial Panel on Multidistrict Litigation filed today, you are hereby notified that a hearing session has been scheduled to consider various matters pursuant to 28 U.S.C. § 1407.

DATE OF HEARING SESSION: March 25, 2010

LOCATION OF HEARING SESSION: Edward J. Schwartz U.S. Courthouse
Ceremonial Courtroom No. 1, 4th Floor
940 Front Street
San Diego, California 92101

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:30 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

Please direct your attention to the enclosed Hearing Session Order and Schedule of Matters for Hearing Session for a listing of the matters scheduled for consideration at this hearing session.

- Section A of this Schedule lists the matters designated for oral argument.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

For those matters listed on Section A of the Schedule, the enclosed blue "Notice of Presentation or Waiver of Oral Argument" must be returned to this office no later than **March 8, 2010**. Note the procedures governing Panel oral argument which are outlined on the enclosed "Procedures for Oral Argument before the Judicial Panel on Multidistrict Litigation." These procedures are strictly adhered to and your cooperation is appreciated.

Very truly,


Jeffery N. Lüthi
Clerk of the Panel

cc: Clerk, U.S. District Court for the Southern District of California

Feb 25, 2010

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**FILED
CLERK'S OFFICE**

HEARING SESSION ORDER

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on March 25, 2010, the Panel will convene a hearing session in San Diego, California, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

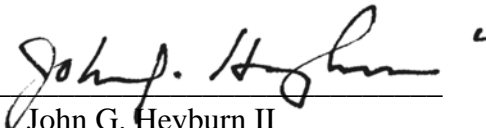
IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 16.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 439 (2001).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 16.1(c). *Id.* The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 16.1(b), to designate any of those matters for oral argument. *Id.*

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION:



John G. Heyburn II
Chairman

Robert L. Miller, Jr.
David R. Hansen
Frank C. Damrell, Jr.

Kathryn H. Vratil
W. Royal Furgeson, Jr.
David G. Trager

SCHEDULE OF MATTERS FOR HEARING SESSION
March 25, 2010 -- San Diego, California

SECTION A
MATTERS DESIGNATED FOR ORAL ARGUMENT

MDL No. 2138 -- **IN RE: BANK OF AMERICA WAGE AND HOUR EMPLOYMENT
PRACTICES LITIGATION**

Motion of defendants Bank of America Corp., and Bank of America, N.A., for centralization of the following actions in the United States District Court for the Central District of California:

Central District of California

Joshua Gold v. Bank of America, N.A., C.A. No. 2:09-8169
John S. Paulino v. Bank of America, N.A., et al., C.A. No. 8:09-1168

Eastern District of California

Andrew Gordillo v. Bank of America, N.A., C.A. No. 1:09-1954

Northern District of California

Jennifer Zhou v. Bank of America, N.A., C.A. No. 3:09-4016
Virginia Kauffman, et al. v. Bank of America, N.A., C.A. No. 3:09-4114

Southern District of California

Juan Franco v. Bank of America, N.A., C.A. No. 3:09-1364

Middle District of Florida

Edward Franco v. Bank of America, N.A., C.A. No. 2:09-274
Vicky Carrero, et al. v. Bank of America, N.A., C.A. No. 6:09-862

MDL No. 2138 (Continued)

District of Kansas

Amanda Brawner, et al. v. Bank of America, N.A., C.A. No. 2:09-2073
Curtis Schreiber v. Bank of America, N.A., C.A. No. 6:09-1336

Southern District of Texas

Sonia Fortner, et al. v. Bank of America, N.A., C.A. No. 4:09-2651

Western District of Washington

Sanaz Masourian, et al. v. Bank of America, N.A., C.A. No. 2:09-1312

**MDL No. 2139 -- IN RE: AMBULATORY PAIN PUMP-CHONDROLYSIS PRODUCTS
LIABILITY LITIGATION**

Motion of plaintiffs Shari Martinac, et al.; Brittany Hamilton, et al.; and Wesley Stichweh for centralization of the following actions in the United States District Court for the District of Minnesota:

Northern District of Alabama

Paul W. Westbrook v. DJO, Inc., et al., C.A. No. 5:08-263

District of Arizona

Jessica N. Lopez v. I-Flow, Inc., et al., C.A. No. 2:08-1063
Cole D. Chapman v. DJO, LLC, et al., C.A. No. 2:08-1064
Andrew Gilmore, et al. v. DJO, Inc., et al., C.A. No. 2:08-1252
Matthew B. Goldstein v. I-Flow, Inc., et al., C.A. No. 2:08-1859
Julie A. Egger v. I-Flow, Inc., et al., C.A. No. 2:09-40
Dianne L. Engle v. Stryker Corp., et al., C.A. No. 2:09-41
Anthony B. Hannigan v. I-Flow, Inc., et al., C.A. No. 2:09-42
Linda Relkin, et al. v. I-Flow, Inc., et al., C.A. No. 2:09-44
Duane Hjelt v. I-Flow, Inc., et al., C.A. No. 2:09-64

MDL No. 2139 (Continued)

District of Arizona (Continued)

Laura E. Ashworth, et al. v. I-Flow Corp., et al., C.A. No. 2:09-721
Sheri L. Patrick, et al. v. I-Flow Corp., et al., C.A. No. 2:09-723
Kevin Hines, et al. v. I-Flow Corp., et al., C.A. No. 2:09-2189
Tyler Benson v. Stryker Corp., C.A. No. 4:08-351
Erin Whitney Grandy Moore v. Breg, Inc., C.A. No. 4:09-27
Ray Wilson v. Stryker Corp., et al., C.A. No. 4:09-539

Central District of California

Kent J. Klawer v. SMI Liquidating, Inc., et al., C.A. No. 2:08-4991

Eastern District of California

Adam Phillippi, et al. v. AstraZeneca Pharmaceuticals, LP, et al., C.A. No. 2:08-2445
Terri Lynn Todd v. Stryker Corp., et al., C.A. No. 2:09-1509
Julie M. Combs, et al. v. Stryker Corp., et al., C.A. No. 2:09-2018

District of Colorado

Stacey Ann Hansen v. DJO, Inc., et al., C.A. No. 1:08-365
Vinton Theiss, et al. v. I-Flow, Inc., et al., C.A. No. 1:08-2606
Cressa Sullivan v. I-Flow Corp., et al., C.A. No. 1:08-2648
Christina Pavelko v. Breg, Inc., C.A. No. 1:09-1461
Kevin Hoy v. I-Flow Corp., et al., C.A. No. 1:09-2580

Middle District of Florida

Davis A. Prickett v. Stryker Corp., et al., C.A. No. 8:09-992

Northern District of Florida

Suzette Martin, et al. v. I-Flow Corp., C.A. No. 3:08-127

MDL No. 2139 (Continued)

Southern District of Indiana

Joseph D. Essex, et al. v. I-Flow Corp., C.A. No. 1:09-1380

Eastern District of Kentucky

Joshua P. Boling v. I-Flow Corp., et al., C.A. No. 2:09-94

Western District of Kentucky

Kris Prather v. Stryker Corp., et al., C.A. No. 3:09-573

District of Minnesota

Shari Martinac, et al. v. I-Flow Corp., et al., C.A. No. 0:08-5035
Jaimee Fougner v. I-Flow Corp., et al., C.A. No. 0:08-5157
Katie Todd, et al. v. I-Flow Corp., et al., C.A. No. 0:08-6178
Nicole Stapleton Foley, et al. v. I-Flow Corp., et al., C.A. No. 0:08-6197
Kathy Ivey, et al. v. McKinley Medical, LLC, et al., C.A. No. 0:08-6407
April M. Murrell, et al. v. Zimmer, Inc., et al., C.A. No. 0:09-757
Jeanie A. Hendricks, et al. v. DJO, LLC, et al., C.A. No. 0:09-931
Anita McGinness, et al. v. DJO, LLC, et al., C.A. No. 0:09-1174
Robert L. Huggins, et al. v. Stryker Sales Corp., et al., C.A. No. 0:09-1250
Mary J. Block v. McKinley Medical, LLC, et al., C.A. No. 0:09-1332
Daniel Krizan v. DJO, LLC, et al., C.A. No. 0:09-1341
Craig R. Anderson v. DJO, LLC, et al., C.A. No. 0:09-1673
Wesley Crawford v. DJO, LLC, et al., C.A. No. 0:09-1674
Joel V. Haymes v. DJO, LLC, et al., C.A. No. 0:09-1675
Henry Wheeler v. Breg, Inc., et al., C.A. No. 0:09-1692
Sylvester Ishmael v. DJO, LLC, et al., C.A. No. 0:09-1693
Joshua H. Voller v. I-Flow Corp., et al., C.A. No. 0:09-1906
James Forslund v. Stryker Corp., et al., C.A. No. 0:09-2134
Tara R. Davis v. I-Flow Corp., et al., C.A. No. 0:09-2504
Marilyn D. Reynolds v. DJO, LLC, et al., C.A. No. 0:09-2706
Gina K. Bass v. DJO, LLC, et al., C.A. No. 0:09-2707
Jennifer E. Prettyman v. Stryker Sales Corp., et al., C.A. No. 0:09-2794

MDL No. 2139 (Continued)

District of Minnesota (Continued)

Michael B. Bonander v. Breg, Inc., et al., C.A. No. 0:09-2795
Thomas H. Stiltner v. Stryker Corp., et al., C.A. No. 0:09-2796
Randall D. Collins v. I-Flow Corp., et al., C.A. No. 0:09-2816
Carlos R. Flores-Espinoza v. Breg, Inc., et al., C.A. No. 0:09-2817
Christi L. Fielding v. Stryker Sales Corp., et al., C.A. No. 0:09-2865
Susan A. Newman v. Stryker Sales Corp., et al., C.A. No. 0:09-2866
Katherine M. Baker v. DJO, LLC, et al., C.A. No. 0:09-2898
Jeffrey L. Quibell v. Stryker Sales Corp., et al., C.A. No. 0:09-2899
Wesley A. Kay v. I-Flow Corp., et al., C.A. No. 0:09-3012
Adam J. Cramlet v. I-Flow Corp., et al., C.A. No. 0:09-3169

Southern District of Mississippi

Darryl Campbell v. I-Flow Corp., C.A. No. 1:08-168

District of New Jersey

Mark Yodice v. Stryker Corp., et al., C.A. No. 3:09-3896

District of New Mexico

Sherrie Bailey v. I-Flow Corp., et al., C.A. No. 1:09-531

District of Nevada

Rebecca Graham, et al. v. I-Flow Corp., et al., C.A. No. 2:09-531
Jack Frobes, et al. v. Stryker Corp., et al., C.A. No. 3:09-554

Eastern District of North Carolina

Sarah E. Atwell v. DJO, Inc., et al., C.A. No. 5:08-346
Corissa R. Allison, et al. v. DJO, Inc., et al., C.A. No. 5:08-549

MDL No. 2139 (Continued)

Northern District of Ohio

Deborah L. Mayle, et al. v. Stryker Corp., et al., C.A. No. 5:09-1991
Allen Crisp v. Stryker Corp., et al., C.A. No. 5:09-2212

Southern District of Ohio

Rachel Krumpelbeck v. Breg, Inc., et al., C.A. No. 1:09-91
Amy West, et al. v. I-Flow Corp., C.A. No. 1:09-98
Willie Miller v. Stryker Corp., et al., C.A. No. 1:09-588
Brittany Hamilton, et al. v. Breg, Inc., et al., C.A. No. 2:09-146
Kaid C. Musgrave, et al. v. Breg, Inc., et al., C.A. No. 2:09-1029
Wesley Stichweh v. Stryker Corp., et al., C.A. No. 3:08-370

Western District of Oklahoma

Joe C. Smock v. I-Flow Corp., C.A. No. 5:08-1077

District of Oregon

Christina McClellan v. I-Flow Corp., et al., C.A. No. 6:07-1309
Gregory Turner, et al. v. Stryker Corp., et al., C.A. No. 6:07-1310
Gordon J. Addis v. McKinley Medical, LLC, et al., C.A. No. 6:07-1318
Caleb Huggins, et al. v. Stryker Corp., et al., C.A. No. 6:07-1671
Danny E. Arvidson, et al. v. DJO, LLC, et al., C.A. No. 6:08-478
John Eric Butler v. Stryker Corp., et al., C.A. No. 6:08-588
Joann Stoeher v. I-Flow Corp., C.A. No. 6:08-1012
Donna Snodgrass, et al. v. I-Flow Corp., et al., C.A. No. 6:08-1387
Eric J. Schoenborn, et al. v. Stryker Corp., et al., C.A. No. 6:08-1419
Elizabeth D. Cronin v. I-Flow Corp., C.A. No. 6:09-146
Ivy Lee Y. Natividad, et al. v. Stryker Corp., et al., C.A. No. 6:09-378

Eastern District of Pennsylvania

Derek Giangliulio v. I-Flow Corp., C.A. No. 2:08-2878
Glen Gore, et al. v. Stryker Corp., et al., C.A. No. 2:09-2987

MDL No. 2139 (Continued)

Eastern District of Pennsylvania (Continued)

Richard Davis v. Stryker Corp., et al., C.A. No. 2:09-2990
Allison Foret v. Stryker Corp., et al., C.A. No. 2:09-2991
Nathan Geesey v. Stryker Corp., et al., C.A. No. 5:09-2988

Western District of Pennsylvania

Donna J. Lawton, et al. v. Advanced Infusion, Inc., et al., C.A. No. 2:09-1197

District of South Dakota

Marcus J. Suhn v. Breg, Inc., et al., C.A. No. 4:08-4190
Kelly J. Koch v. Breg, Inc., et al., C.A. No. 4:08-4193

Eastern District of Tennessee

Terry A. Hill v. Stryker Corp., et al., C.A. No. 3:08-295
Randi C. Brostean v. Stryker Corp., et al., C.A. No. 3:08-406

Middle District of Tennessee

Andrew Scott Rodriguez v. Stryker Corp., et al., C.A. No. 2:08-124

Western District of Tennessee

Kimberly Dawn Evans, et al. v. DJO, LLC, et al., C.A. No. 2:09-2515

District of Utah

Erika Creech, et al. v. Stryker Corp., et al., C.A. No. 1:07-22
Amanda Bennett v. Stryker Corp., et al., C.A. No. 2:08-937
Ryan Goodrich, et al. v. I-Flow Corp., et al., C.A. No. 2:09-269

**MDL No. 2140 -- IN RE: INTELIOUS, INC., POST-TRANSACTION MARKETING AND
SALES PRACTICES LITIGATION**

Motion of defendants Intelius, Inc., and Intelius Sales Co., LLC, for centralization of the following actions in the United States District Court for the Western District of Washington:

Central District of California

Denise Baxter v. Intelius, Inc., et al., C.A. No. 8:09-1031

Western District of Washington

Bruce Keithly, et al. v. Intelius, Inc., et al., C.A. No. 2:09-1485

MDL No. 2141 -- IN RE: VERIZON WIRELESS DATA CHARGES LITIGATION

Motion of plaintiffs Derick Brian Moore, et al., for centralization of the following actions in the United States District Court for the District of New Jersey:

Northern District of Georgia

Jessica Slater v. Cellco Partnership, C.A. No. 1:09-3392

District of New Jersey

Derick Brian Moore, et al. v. Cellco Partnership, C.A. No. 3:09-4592
Donna Heaton v. Cello Partnership, C.A. No. 3:09-6270

**MDL No. 2142 -- IN RE: BLAIR CORP. CHENILLE ROBE PRODUCTS LIABILITY
LITIGATION**

Motion of defendants Blair, LLC, and Orchard Brands Corp. for centralization of the following actions in the United States District Court for the Middle District of Alabama:

Middle District of Alabama

Harold A. Ledbetter, etc. v. Blair Corp., et al., C.A. No. 3:09-843

MDL No. 2142 (Continued)

Southern District of California

Michelle Putini, et al. v. Blair Corp., et al., C.A. No. 3:09-2729

District of Connecticut

Sharon Davis, etc. v. Blair Corp., et al., C.A. No. 3:09-1702

Southern District of Illinois

Agnes Wise v. Blair, LLC, et al., C.A. No. 3:09-871

MDL No. 2143 -- **IN RE: OPTICAL DISK DRIVE PRODUCTS ANTITRUST
LITIGATION**

Motion of plaintiffs CMP Consulting Services, Inc., and KI, Inc., for centralization of the following actions in the United States District Court for the Northern District of California:

Central District of California

Diana Saed v. Sony Optiarc America, Inc., et al., C.A. No. 2:09-8289

Northern District of California

CMP Consulting Services, Inc., et al. v. Sony Corp., et al., C.A. No. 3:09-5114

Univisions-Crimson Holding, Inc. v. Sony Corp., et al., C.A. No. 3:09-5186

KI, Inc. v. Sony Corp., et al., C.A. No. 3:09-5197

Amber Nikkel v. Sony Corp., et al., C.A. No. 5:09-5135

MDL No. 2144 -- IN RE: AIR CRASH OVER THE MID-ATLANTIC ON JUNE 1, 2009

Motion of defendants Airbus S.A.S.; Honeywell International, Inc.; Rockwell Collins, Inc.; Thales Avionics, S.A.; Thales U.S.A., Inc.; Motorola, Inc.; Intel Corp.; Hamilton Sundstrand Corp.; General Electric Co.; GE Aviation Systems, LLC; Rosemount Aerospace Inc.; E.I. du Pont de Nemours & Co.; and Raychem Corp. for centralization of the following actions in the United States District Court for the Southern District of Texas:

Northern District of California

Margita Gergelova, et al. v. Airbus S.A.S., et al., C.A. No. 3:09-5020

Northern District of Illinois

Rosilene Hemme, et al. v. Airbus S.A.S, et al., C.A. No. 1:09-7239

Southern District of Texas

Hampton Harris, et al. v. Societe Air France, et al., C.A. No. 4:09-3155

**MDL No. 2145 -- IN RE: MEDICAL CAPITAL BROKER-DEALER SECURITIES
LITIGATION**

Motion of plaintiffs Jana McCoy, et al., for centralization of the following actions in the United States District Court for the Central District of California:

Central District of California

Don Ribacchi, et al. v. Capital Financial Services, Inc., et al., C.A. No. 2:09-8482

Jana McCoy, et al. v. Cullum & Burks Securities, Inc., et al., C.A. No. 8:09-1084

Alvin Sabroff, et al. v. Securities America, Inc., et al., C.A. No. 8:09-1295

James K. Merrill, et al. v. National Securities Corp., et al., C.A. No. 8:09-1340

District of Nebraska

Ilene Grossbard, et al. v. Securities America Financial Corp., et al., C.A. No. 8:09-350

**MDL No. 2147 -- IN RE: AT&T MOBILITY WIRELESS DATA SERVICES SALES TAX
LITIGATION**

Motion of defendant AT&T Mobility, LLC, for centralization of the following actions in
a single United States district court:

Northern District of Alabama

Stephanie Diethelm v. AT&T Mobility, LLC, C.A. No. 2:09-2546

Eastern District of Arkansas

Dorothy Taylor v. American Telephone & Telegraph Co., et al., C.A. No. 4:09-938

District of Colorado

William A. Wieland v. AT&T Mobility, LLC, C.A. No. 1:09-2991

District of Delaware

Kathy J. Cooper v. AT&T Mobility, LLC, C.A. No. 1:09-992

Southern District of Florida

Adrienne D. Munson v. AT&T Mobility, LLC, C.A. No. 9:09-82439

Northern District of Georgia

Robert Wilhite v. AT&T Mobility Corp., C.A. No. 1:10-5

Southern District of Iowa

Penny Annette Wood v. AT&T Mobility, LLC, C.A. No. 4:09-577

Southern District of Illinois

Christopher R. Havron v. AT&T, Inc., et al., C.A. No. 3:09-1040

MDL No. 2147 (Continued)

Northern District of Indiana

Martin Hoke v. AT&T Mobility, LLC, C.A. No. 2:10-6

District of Kansas

Christopher Hendrix v. AT&T Mobility, LLC, C.A. No. 2:09-2658

Eastern District of Kentucky

Heather Rahn v. AT&T Mobility, LLC, C.A. No. 2:09-218

Western District of Louisiana

Heather Mazeitis v. AT&T Mobility, LLC, C.A. No. 6:09-2179

District of Massachusetts

Lesley Rock v. AT&T Mobility, LLC, C.A. No. 1:10-10069

Eastern District of Michigan

Karen Wiand v. AT&T Mobility, LLC, C.A. No. 2:10-10045

Kathy Johnson v. AT&T Mobility, LLC, C.A. No. 2:10-10064

Southern District of Mississippi

Michael Bosarge, et al. v. AT&T Mobility, LLC, C.A. No. 3:10-5

Western District of Missouri

Sarah Pauley v. AT&T, Inc., et al., C.A. No. 2:09-4248

District of Nebraska

Matthew Cranford v. AT&T, Inc., et al., C.A. No. 4:09-3243

MDL No. 2147 (Continued)

District of New Jersey

Ronald Bendian v. AT&T, Inc., et al., C.A. No. 2:09-6100

Southern District of New York

Jonathan Macy v. AT&T, Inc., et al., C.A. No. 1:10-79

Eastern District of North Carolina

Adrienne M. Fox v. AT&T Mobility, LLC, C.A. No. 5:10-26

Southern District of Ohio

John W. Wallace, et al. v. AT&T Mobility, LLC, C.A. No. 1:09-928

Western District of Oklahoma

Jane F. Edmonds, et al. v. AT&T Mobility, LLC, C.A. No. 5:09-1379

Western District of Pennsylvania

Meri Iannetti v. AT&T Mobiiiity, LLC, C.A. No. 2:09-1684

District of Rhode Island

James Shirley v. AT&T Mobility, LLC, C.A. No. 1:09-636

District of South Carolina

Eric Bosse v. AT&T, Inc., et al., C.A. No. 2:09-3145

Eastern District of Tennessee

Randall Shuptrine v. AT&T Mobility, LLC, C.A. No. 1:09-326

MDL No. 2147 (Continued)

Southern District of Texas

Stephen T. Johnson v. AT&T Mobility, LLC, C.A. No. 4:09-4104

Western District of Texas

Harvey Corn, et al. v. AT&T Mobility, LLC, C.A. No. 1:10-24

MDL No. 2148 -- **IN RE: PPG INDUSTRIES, INC., WAGE AND HOUR EMPLOYMENT
PRACTICES LITIGATION**

Motion of defendants PPG Industries, Inc., and PPG Architectural Finishes, Inc., for
centralization of the following actions in the United States District Court for the District of
Kansas:

District of Kansas

Stephen J. Duarte v. PPG Industries, Inc., C.A. No. 6:09-1366

Western District of Pennsylvania

Sue Ann Seymour, et al. v. PPG Industries, Inc., C.A. No. 2:09-1707

Eastern District of Tennessee

Karen Stage v. PPG Industries, Inc., et al., C.A. No. 1:10-5

Western District of Washington

Andrew Fiore v. PPG Industries, Inc., C.A. No. 2:10-96

**MDL No. 2149 -- IN RE: PLASTIC INJECTION MOLDING MANUFACTURING
PROCESS ('184) PATENT LITIGATION**

Motion of plaintiff Jens Erik Sorensen, etc., for centralization of the following actions in the United States District Court for the Southern District of California or, in the alternative, the United States District Court for the Northern District of California:

Northern District of California

Jens Erik Sorensen, etc. v. Lexar Media, Inc., C.A. No. 5:08-95

Southern District of California

Jens Erik Sorensen, etc. v. Giant International (USA) Ltd., C.A. No. 3:07-2121
Jens Erik Sorensen, etc. v. Esseplast (USA) NC, Inc., C.A. No. 3:07-2277
Jens Erik Sorensen, etc. v. Helen of Troy Texas Corp., et al., C.A. No. 3:07-2278
Jens Erik Sorensen, etc. v. Emerson Electric Co., et al., C.A. No. 3:08-60
Jens Erik Sorensen, etc. v. Ryobi Technologies, Inc., et al., C.A. No. 3:08-70
Jens Erik Sorensen, etc. v. Senco Products, Inc., C.A. No. 3:08-71
Jens Erik Sorensen, etc. v. Informatics, Inc., et al., C.A. No. 3:08-134
Jens Erik Sorensen, etc. v. Motorola, Inc., C.A. No. 3:08-136
Jens Erik Sorensen, etc. v. Alltrade Tools, LLC, C.A. No. 3:08-232
Jens Erik Sorensen, etc. v. Global Machinery Co., et al., C.A. No. 3:08-233
Jens Erik Sorensen, etc. v. Emissive Energy Corp., C.A. No. 3:08-234
Jens Erik Sorensen, etc. v. Metabo Corp., et al., C.A. No. 3:08-304
Jens Erik Sorensen, etc. v. Rally Manufacturing, Inc., C.A. No. 3:08-305
Jens Erik Sorensen, etc. v. Sunbeam Products, Inc., C.A. No. 3:08-306
Jens Erik Sorensen, etc. v. Central Purchasing, LLC, C.A. No. 3:08-309
Jens Erik Sorensen, etc. v. Kyocera International, Inc., et al., C.A. No. 3:08-411
Jens Erik Sorensen, etc. v. DMS Holdings, Inc., C.A. No. 3:08-559
Jens Erik Sorensen, etc. v. Human Touch LLC, et al., C.A. No. 3:08-1080
Jens Erik Sorensen, etc. v. Conair Corp., et al., C.A. No. 3:08-1256
ACCO Brands USA LLC v. Jens Erik Sorensen, C.A. No. 3:08-1670
Jens Erik Sorensen, etc. v. Target Corp., C.A. No. 3:09-56
Jens Erik Sorensen, etc. v. Big Lots Stores, Inc., C.A. No. 3:09-57
Jens Erik Sorensen, etc. v. Spectrum Brands, Inc., C.A. No. 3:09-58
Jens Erik Sorensen, etc. v. Lowe's Companies, Inc., et al., C.A. No. 3:09-59
Jens Erik Sorensen, etc. v. Axonn, LLC, et al., C.A. No. 3:09-60
Jens Erik Sorensen, etc. v. Freshlink Product Development, LLC, et al.,
C.A. No. 3:09-267

MDL No. 2149 (Continued)

Southern District of California (Continued)

Jens Erik Sorensen, etc. v. Grizzly Industrial, Inc., et al., C.A. No. 3:09-531
Jens Erik Sorensen, etc. v. Fein Power Tools, Inc., et al., C.A. No. 3:09-558
Jens Erik Sorensen, etc. v. Dorman Products, Inc., C.A. No. 3:09-1579
Big Lots Stores, Inc. v. Sorensen Research & Development Trust, C.A. No. 3:09-2702

Eastern District of Pennsylvania

Dorman Products, Inc. v. Sorensen Research & Development Trust,
C.A. No. 2:09-2946

MDL No. 2150 -- **IN RE: TD BANK, N.A., GIFT CARD FEES LITIGATION**

Motion of defendants TD Bank, N.A., and Commerce Bank, N.A., for centralization of the following actions in the United States District Court for the District of New Jersey or, in the alternative, the United States District Court for the Eastern District of Pennsylvania:

District of New Jersey

Bradley Mann, et al. v. TD Bank, N.A., et al., C.A. No. 1:09-1062

Southern District of New York

Sandra Elmoznino v. TD Bank, N.A., et al., C.A. No. 1:09-9778

Eastern District of Pennsylvania

Chawezi Mwantembe, et al. v. TD Bank, N.A., et al., C.A. No. 2:09-135

**MDL No. 2151 -- IN RE: TOYOTA MOTOR CORP. DEFECTIVE GAS PEDAL
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff Heather A. Lane for centralization of certain of the following actions in the United States District Court for the Central District of California and motion of plaintiffs Daniel Weimer, Jr., et al., for centralization of certain of the following actions in the United States District Court for the Eastern District of Louisiana:

Central District of California

Seong Bae Choi, et al. v. Toyota Motor Corp., et al., C.A. No. 2:09-8143
Eric Kmetz, et al. v. Toyota Motor Sales U.S.A., Inc., et al., C.A. No. 2:09-8478
Heather A. Lane v. Toyota Motor Sales U.S.A., Inc., C.A. No. 2:09-9158
Dale Baldiseeri v. Toyota Motor Sales U.S.A., Inc., et al., C.A. No. 2:09-9386
Joseph Hauter, et al. v. Toyota Motor Sales U.S.A., Inc., et al., C.A. No. 8:10-105

Middle District of Florida

Michelle Lynch v. Toyota Motor Corp., et al., C.A. No. 8:10-326

Southern District of Florida

Jonathan Gellman v. Toyota Motor Sales U.S.A., Inc., C.A. No. 1:10-20006

Eastern District of Louisiana

Daniel Weimer, Jr., et al. v. Toyota Motor North America, Inc., et al.,
C.A. No. 2:10-219
Amanda R. Maillho v. Toyota Motor North America, Inc., et al., C.A. No. 2:10-279
Gary T. Brock v. Toyota Motor North America, Inc., et al., C.A. No. 2:10-281

Southern District of West Virginia

Michael Graves, et al. v. Toyota Motor Manufacturing, West Virginia, Inc., et al.,
C.A. No. 2:09-1247

SECTION B
MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT

MDL No. 381 -- IN RE: "AGENT ORANGE" PRODUCTS LIABILITY LITIGATION

Motion of defendant Monsanto Co. to transfer the actions listed on Attachment A to the United States District Court for the Eastern District of New York.

MDL No. 875 -- IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)

Opposition of plaintiff Elizabeth J. Coons, etc., to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Southern District of New York

Elizabeth J. Coons, etc. v. A.O. Water Smith Products, et al., C.A. No. 1:09-7496

MDL No. 1596 -- IN RE: ZYPREXA PRODUCTS LIABILITY LITIGATION

Motion of defendant Eli Lilly & Co. to transfer the following action to the United States District Court for the Eastern District of New York:

Southern District of Mississippi

Matthew Pitalo, etc. v. Biloxi Regional Medical Center, et al., C.A. No. 1:09-712

**MDL No. 1657 -- IN RE: VIOXX MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Commonwealth of Kentucky ex rel. Jack Conway to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Eastern District of Kentucky

Commonwealth of Kentucky ex rel. Jack Conway v. Merck & Co., Inc.,
C.A. No. 3:09-54

**MDL No. 1699 -- IN RE: BEXTRA AND CELEBREX MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Yaarb Alkhafaji, et al., to transfer of the following action to the United States District Court for the Northern District of California:

District of Minnesota

Yaarb Alkhafaji, et al. v. Pfizer Inc., et al., C.A. No. 0:09-3077

**MDL No. 1708 -- IN RE: GUIDANT CORP. IMPLANTABLE DEFIBRILLATORS
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Mark R. Barlow, et al., to transfer of the following action to the United States District Court for the District of Minnesota:

Southern District of West Virginia

Mark R. Barlow, et al. v. Guidant Corp., et al., C.A. No. 2:09-1161

MDL No. 1769 -- IN RE: SEROQUEL PRODUCTS LIABILITY LITIGATION

Motion of defendants AstraZeneca LP and AstraZeneca Pharmaceuticals LP for reconsideration of the Panel's order vacating conditional transfer order of the following actions:

Northern District of California

Lisa Bain, et al. v. AstraZeneca LP, et al., C.A. No. 3:09-4147
Donald Bates, Jr., et al. v. AstraZeneca LP, et al., C.A. No. 3:09-4150
Carolyn Harrison, et al. v. AstraZeneca LP, et al., C.A. No. 3:09-4151
Cynthia Arnold, et al. v. AstraZeneca LP, et al., C.A. No. 3:09-4157
Todd Boggis, et al. v. AstraZeneca LP, et al., C.A. No. 3:09-4159
Paul Trim, et al. v. AstraZeneca LP, et al., C.A. No. 3:09-4160
Mark Coffey, et al. v. AstraZeneca LP, et al., C.A. No. 3:09-4161
Gloria Miller, et al. v. AstraZeneca LP, et al., C.A. No. 3:09-4163
Sharon Diston, et al. v. AstraZeneca LP, et al., C.A. No. 3:09-4165
Lisa Saunders, et al. v. AstraZeneca LP, et al., C.A. No. 4:09-4148
Kimberly Kessler, et al. v. AstraZeneca LP, et al., C.A. No. 4:09-4149
Angel Colon, et al. v. AstraZeneca LP, et al., C.A. No. 4:09-4158
Antonio Burton, et al. v. AstraZeneca LP, et al., C.A. No. 4:09-4162
David Marte, et al. v. AstraZeneca LP, et al., C.A. No. 4:09-4164
Bong Nguyen, et al. v. AstraZeneca LP, et al., C.A. No. 4:09-4166

MDL No. 1928 -- IN RE: TRASYLOL PRODUCTS LIABILITY LITIGATION

Opposition of plaintiffs Louis Argento, et al., to transfer of the following action to the United States District Court for the Southern District of Florida:

Eastern District of Missouri

Louis Argento, et al. v. Bayer Corp., et al., C.A. No. 4:09-2020

MDL No. 1953 -- IN RE: HEPARIN PRODUCTS LIABILITY LITIGATION

Opposition of defendants Lucille Salter Packard Children's Hospital and Stanford Hospital & Clinics to transfer of the following action to the United States District Court for the Northern District of Ohio:

Northern District of California

Art Gonzales, et al. v. Lucille Packard Children's Hospital, et al., C.A. No. 5:09-5539

**MDL No. 1983 -- IN RE: INDIANAPOLIS LIFE INSURANCE COMPANY I.R.S. §
412(I) AND § 419 PLANS LIFE INSURANCE MARKETING
LITIGATION**

Opposition of plaintiffs Khalid Sawaged, et al., to transfer of the following action to the United States District Court for the Northern District of Texas:

District of New Jersey

Khalid Sawaged, et al. v. Indianapolis Life Insurance Co., et al., C.A. No. 2:09-5422

Motion of plaintiffs Indianapolis Life Insurance Co. and Aviva Life & Annuity Co. to transfer the following actions to the United States District Court for the Northern District of Texas:

Western District of Oklahoma

Aviva Life & Annuity Co. v. Republic Bank & Trust, et al., C.A. No. 5:09-1113
Aviva Life & Annuity Co. v. Republic Bank & Trust, et al., C.A. No. 5:09-1235

**MDL No. 1988 -- IN RE: COUNTRYWIDE FINANCIAL CORP. MORTGAGE
MARKETING AND SALES PRACTICES LITIGATION**

Opposition of plaintiff Jerome Hart and defendant Countrywide Home Loans, Inc., to transfer of the following action to the United States District Court for the Southern District of California:

District of Massachusetts

Jerome Hart v. Bank of America Home Loans, Inc., C.A. No. 1:09-11096

**MDL No. 2009 -- IN RE: REGIONS MORGAN KEEGAN SECURITIES, DERIVATIVE
AND EMPLOYEE RETIREMENT INCOME SECURITY ACT
(ERISA) LITIGATION**

Oppositions of plaintiffs J. Richard Freeman, et al.; Edward W. Karrels; and Purdue Avenue Investors LP, et al., to transfer of their respective following actions to the United States District Court for the Western District of Tennessee:

Middle District of Tennessee

J. Richard Freeman, et al. v. Regions Bank, et al., C.A. No. 3:09-1069
Edward W. Karrels v. Morgan Asset Management, Inc., et al., C.A. No. 3:09-1070

Northern District of Texas

Purdue Avenue Investors LP, et al. v. Morgan Keegan & Co., Inc., et al.,
C.A. No. 3:09-2255

**MDL No. 2014 -- IN RE: BANK OF AMERICA CORP. AUCTION RATE SECURITIES
(ARS) MARKETING LITIGATION**

Opposition of plaintiffs American Housing Foundation, et al., to transfer of the following action to the United States District Court for the Northern District of California:

Northern District of Texas

American Housing Foundation, et al. v. Banc of America Securities, LLC, et al.,
C.A. No. 3:09-2251

**MDL No. 2027 -- IN RE: SATYAM COMPUTER SERVICES, LTD., SECURITIES
LITIGATION**

Opposition of plaintiff Aberdeen Claims Administration, Inc., etc., to transfer of the following action to the United States District Court for the Southern District of New York:

Eastern District of Pennsylvania

Aberdeen Claims Administration, Inc., etc. v. Saytam Computer Services, Ltd., et al.,
C.A. No. 2:09-5453

**MDL No. 2047 -- IN RE: CHINESE-MANUFACTURED DRYWALL PRODUCTS
LIABILITY LITIGATION**

Motion of defendant The Mitchell Co., Inc., to transfer the following action to the United States District Court for the Eastern District of Louisiana:

Middle District of Georgia

Owners Insurance Co., et al. v. The Mitchell Co., Inc., et al., C.A. No. 5:09-374

**MDL No. 2057 -- IN RE: KAPLAN HIGHER EDUCATION CORP. QUI TAM
LITIGATION**

Motion of relator Charles Jajdelski to transfer the following action to the United States District Court for the Southern District of Florida:

District of Nevada

United States of America ex rel. Charles Jajdelski v. Kaplan, Inc., et al.,
C.A. No. 2:05-1054

MDL No. 2084 -- IN RE: ANDROGEL ANTITRUST LITIGATION (NO. II)

Opposition of plaintiff Jabo's Pharmacy, Inc., to transfer of the following action to the United States District Court for the Northern District of Georgia:

Eastern District of Tennessee

Jabo's Pharmacy, Inc. v. Solvay Pharmaceuticals, Inc., et al., C.A. No. 2:09-277

MDL No. 2088 -- IN RE: FAIRFIELD GREENWICH GROUP SECURITIES LITIGATION

Opposition of plaintiffs Jose Antonio Pujals, et al., to transfer of the following action to the United States District Court for the Southern District of New York:

Southern District of Florida

Jose Antonio Pujals, et al. v. Standard Chartered Bank International (Americas) Ltd., et al., C.A. No. 1:09-21611

MDL No. 2099 -- IN RE: STANFORD ENTITIES SECURITIES LITIGATION

Opposition of plaintiffs Barry Rupert, et al., to transfer of the following action to the United States District Court for the Northern District of Texas:

Western District of Texas

Barry Rupert, et al. v. Robert S. Winter, et al., C.A. No. 5:09-854

Motion of defendants Certain Underwriters at Lloyd's of London and Arch Specialty Insurance Co. to transfer the following action to the United States District Court for the Northern District of Texas:

Southern District of Texas

Laura Pendergest-Holt, et al. v. Certain Underwriters at Lloyd's of London, et al., C.A. No. 4:09-3712

**MDL No. 2100 -- IN RE: YASMIN AND YAZ (DROSPIRENONE) MARKETING,
SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Southern District of Illinois:

Central District of California

Rindy Andrews v. Bayer Corp., et al., C.A. No. 2:09-9154
Arlette Atencio v. Bayer Corp., et al., C.A. No. 2:09-9411
Felicia Blakely v. Bayer Corp., et al., C.A. No. 2:09-9420
Jennifer A. Wilkins, et al. v. Bayer Corp., et al., C.A. No. 5:09-2322
Nancy Grove v. Bayer Corp., et al., C.A. No. 8:09-1509
Kelly Stewart v. Bayer Corp., et al., C.A. No. 2:10-177
Kim Rawson v. Bayer Corp., et al., C.A. No. 5:10-46

Northern District of California

Stevie Fanning v. Bayer Corp., et al., C.A. No. 3:09-5374
Karen Knauer, et al. v. Bayer Corp., et al., C.A. No. 3:09-5387
Heather Schroeder, et al. v. Bayer Corp., et al., C.A. No. 3:09-5845
Lekecia C. Milam v. Bayer Corp., et al., C.A. No. 3:09-5902
Jennifer Metzger, et al. v. Bayer Corp., et al., C.A. No. 3:09-5965
Nadine Camara, et al. v. Bayer Corp., et al., C.A. No. 3:09-6084

**MDL No. 2121 -- IN RE: MUSICAL INSTRUMENTS AND EQUIPMENT ANTITRUST
LITIGATION**

Opposition of plaintiff Donnie Collins to transfer of the following action to the United States District Court for the Southern District of California:

Eastern District of Tennessee

Donnie Collins v. Guitar Center, Inc., et al., C.A. No. 3:09-531

**ATTACHMENT A TO THE MARCH 25, 2010
SCHEDULE OF MATTERS FOR HEARING SESSION, SECTION B**

MDL No. 381 -- IN RE: "AGENT ORANGE" PRODUCTS LIABILITY LITIGATION

Southern District of New York

Mary B. Spaulding, et al. v. Monsanto Co., et al., C.A. No. 1:09-9470

Southern District of West Virginia

Nancy Agee v. Monsanto Co., et al., C.A. No. 3:09-1336
Robert Alley, etc. v. Monsanto Co., et al., C.A. No. 3:09-1337
Dorothy Bailes, etc. v. Monsanto Co., et al., C.A. No. 3:09-1338
Patricia Crislip, etc. v. Monsanto Co., et al., C.A. No. 3:09-1339
Roy Bailes, etc. v. Monsanto Co., et al., C.A. No. 3:09-1340
Jennifer S. Drout, etc. v. Monsanto Co., et al., C.A. No. 3:09-1341
Norman L. Cook, etc. v. Monsanto Co., et al., C.A. No. 3:09-1342
Sherry L. Bryant, etc. v. Monsanto Co., et al., C.A. No. 3:09-1343
Gary Goble, etc. v. Monsanto Co., et al., C.A. No. 3:09-1344
Ruth Cunningham, etc. v. Monsanto Co., et al., C.A. No. 3:09-1345
Mary Cox v. Monsanto Co., et al., C.A. No. 3:09-1346
Sandra Dorsey v. Monsanto Co., et al., C.A. No. 3:09-1347
Priscilla Brown v. Monsanto Co., et al., C.A. No. 3:09-1348
Larry Curry v. Monsanto Co., et al., C.A. No. 3:09-1349
Tamera Duffield v. Monsanto Co., et al., C.A. No. 3:09-1350
Tasha Carney v. Monsanto Co., et al., C.A. No. 3:09-1351
Richard Cox v. Monsanto Co., et al., C.A. No. 3:09-1353
Lois Bailey v. Monsanto Co., et al., C.A. No. 3:09-1354
Charles Dixon v. Monsanto Co., et al., C.A. No. 3:09-1355
William Clark v. Monsanto Co., et al., C.A. No. 3:09-1356
William Gibson v. Monsanto Co., et al., C.A. No. 3:09-1358
Shirley Bird v. Monsanto Co., et al., C.A. No. 3:09-1359
Ellen Creasy v. Monsanto Co., et al., C.A. No. 3:09-1360
James Cook v. Monsanto Co., et al., C.A. No. 3:09-1361
Margaret Frazier v. Monsanto Co., et al., C.A. No. 3:09-1362
Darlene Dixon v. Monsanto Co., et al., C.A. No. 3:09-1363
Debora Gilmore v. Monsanto Co., et al., C.A. No. 3:09-1364
Patricia Crislip v. Monsanto Co., et al., C.A. No. 3:09-1365
George Goff v. Monsanto Co., et al., C.A. No. 3:09-1366
Shelby Bailey v. Monsanto Co., et al., C.A. No. 3:09-1367
Amy Bennett v. Monsanto Co., et al., C.A. No. 3:09-1368
Patricia Blizzard v. Monsanto Co., et al., C.A. No. 3:09-1369

MDL No. 381 Attachment A (Continued)

Southern District of West Virginia (Continued)

James Brothers v. Monsanto Co., et al., C.A. No. 3:09-1370
Shirley Brown v. Monsanto Co., et al., C.A. No. 3:09-1371
James H. Gibson v. Monsanto Co., et al., C.A. No. 3:09-1372
George Brown v. Monsanto Co., et al., C.A. No. 3:09-1373
Wanda Allen v. Monsanto Co., et al., C.A. No. 3:09-1374
Herman Arthur v. Monsanto Co., et al., C.A. No. 3:09-1377
Dorothy Bailes v. Monsanto Co., et al., C.A. No. 3:09-1378
Thomas Milam, etc. v. Monsanto Co., et al., C.A. No. 3:09-1381
Gary E. Hedrick, etc. v. Monsanto Co., et al., C.A. No. 3:09-1382
Loretta Milhoan, etc. v. Monsanto Co., et al., C.A. No. 3:09-1383
Johnnie D. Muck, etc. v. Monsanto Co., et al., C.A. No. 3:09-1384
Avril Mallory, etc. v. Monsanto Co., et al., C.A. No. 3:09-1385
John D. Muck, etc. v. Monsanto Co., et al., C.A. No. 3:09-1386
James Keeling, etc. v. Monsanto Co., et al., C.A. No. 3:09-1387
Carlos Luikart, etc. v. Monsanto Co., et al., C.A. No. 3:09-1388
Elma L. Hornish, etc. v. Monsanto Co., et al., C.A. No. 3:09-1389
Walter Krankemann, etc. v. Monsanto Co., et al., C.A. No. 3:09-1390
Gary W. Hughes, etc. v. Monsanto Co., et al., C.A. No. 3:09-1391
Evelyn Kessinger v. Monsanto Co., et al., C.A. No. 3:09-1392
Terry Lanham v. Monsanto Co., et al., C.A. No. 3:09-1393
Marian Hensley v. Monsanto Co., et al., C.A. No. 3:09-1394
Alice Hager v. Monsanto Co., et al., C.A. No. 3:09-1395
Noah Kidd v. Monsanto Co., et al., C.A. No. 3:09-1396
Richard Jett v. Monsanto Co., et al., C.A. No. 3:09-1397
Blanche Mace v. Monsanto Co., et al., C.A. No. 3:09-1398
Lester Hensley v. Monsanto Co., et al., C.A. No. 3:09-1399
Catherine Larck v. Monsanto Co., et al., C.A. No. 3:09-1400
Todd Hudson v. Monsanto Co., et al., C.A. No. 3:09-1401
Ritchie McGrew v. Monsanto Co., et al., C.A. No. 3:09-1402
Arnold Huffman v. Monsanto Co., et al., C.A. No. 3:09-1403
Ramona Hickman v. Monsanto Co., et al., C.A. No. 3:09-1404

MDL No. 381 Attachment A (Continued)

Southern District of West Virginia (Continued)

Purvis King v. Monsanto Co., et al., C.A. No. 3:09-1405
Veril Jividen v. Monsanto Co., et al., C.A. No. 3:09-1407
Ruth Mann v. Monsanto Co., et al., C.A. No. 3:09-1408
Edna LeMaster v. Monsanto Co., et al., C.A. No. 3:09-1409
Gloria Hughes v. Monsanto Co., et al., C.A. No. 3:09-1410
Alice Kyle v. Monsanto Co., et al., C.A. No. 3:09-1411
Charles Higgins v. Monsanto Co., et al., C.A. No. 3:09-1412
James C. Hager v. Monsanto Co., et al., C.A. No. 3:09-1413
Kelley Miller v. Monsanto Co., et al., C.A. No. 3:09-1414
Gary Lane v. Monsanto Co., et al., C.A. No. 3:09-1415
Baaron Lewis v. Monsanto Co., et al., C.A. No. 3:09-1417
Melissa Hinton v. Monsanto Co., et al., C.A. No. 3:09-1418
Stephanie Johnston v. Monsanto Co., et al., C.A. No. 3:09-1419
John Miller v. Monsanto Co., et al., C.A. No. 3:09-1420
Shirley Janey v. Monsanto Co., et al., C.A. No. 3:09-1421
Leo Harrah v. Monsanto Co., et al., C.A. No. 3:09-1422
Debbie Harris v. Monsanto Co., et al., C.A. No. 3:09-1423
Harold Loudin v. Monsanto Co., et al., C.A. No. 3:09-1424
Alma Jarrell v. Monsanto Co., et al., C.A. No. 3:09-1425
Mary M. Jones, etc. v. Monsanto Co., et al., C.A. No. 3:09-1426
Ralph H. Lucas v. Monsanto Co., et al., C.A. No. 3:09-1427
James Marrs v. Monsanto Co., et al., C.A. No. 3:09-1428
Janet Harrison v. Monsanto Co., et al., C.A. No. 3:09-1429
Dana Harris v. Monsanto Co., et al., C.A. No. 3:09-1430
Mary Jones v. Monsanto Co., et al., C.A. No. 3:09-1431
John Mays v. Monsanto Co., et al., C.A. No. 3:09-1432
Lynn Hartsog v. Monsanto Co., et al., C.A. No. 3:09-1433
Angelique Miller v. Monsanto Co., et al., C.A. No. 3:09-1434
William Hoffman v. Monsanto Co., et al., C.A. No. 3:09-1436
Eugene Karcheski v. Monsanto Co., et al., C.A. No. 3:09-1437
Lois McCarthy v. Monsanto Co., et al., C.A. No. 3:09-1438
Lowell Holston v. Monsanto Co., et al., C.A. No. 3:09-1439

MDL No. 381 Attachment A (Continued)

Southern District of West Virginia (Continued)

Gwendolyn Morris v. Monsanto Co., et al., C.A. No. 3:09-1440
Victor Keathley v. Monsanto Co., et al., C.A. No. 3:09-1441
Robert McClanahan v. Monsanto Co., et al., C.A. No. 3:09-1442
Roberta Morton v. Monsanto Co., et al., C.A. No. 3:09-1443
Lisa Morton v. Monsanto Co., et al., C.A. No. 3:09-1444
JoAnn Tincher v. Monsanto Co., et al., C.A. No. 3:09-1446
Sheryl Pauley, etc. v. Monsanto Co., et al., C.A. No. 3:09-1447
Phyllis Perry, etc. v. Monsanto Co., et al., C.A. No. 3:09-1448
Leslie Oakes, etc. v. Monsanto Co., et al., C.A. No. 3:09-1449
Jimmie Smith, etc. v. Monsanto Co., et al., C.A. No. 3:09-1450
Carolyn Thumm, etc. v. Monsanto Co., et al., C.A. No. 3:09-1451
Larry Spence, etc. v. Monsanto Co., et al., C.A. No. 3:09-1452
Vada Searls, etc. v. Monsanto Co., et al., C.A. No. 3:09-1453
Ramona Tidd, etc. v. Monsanto Co., et al., C.A. No. 3:09-1454
Nancy Shelton, etc. v. Monsanto Co., et al., C.A. No. 3:09-1455
Bessie Roberts, etc. v. Monsanto Co., et al., C.A. No. 3:09-1456
Lois Oliver v. Monsanto Co., et al., C.A. No. 3:09-1457
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Gerald Sayre v. Monsanto Co., et al., C.A. No. 3:09-1462
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Steven Pauley v. Monsanto Co., et al., C.A. No. 3:09-1464
David Painter v. Monsanto Co., et al., C.A. No. 3:09-1465
James Thornton v. Monsanto Co., et al., C.A. No. 3:09-1466
William Scott v. Monsanto Co., et al., C.A. No. 3:09-1467
Donna Parker v. Monsanto Co., et al., C.A. No. 3:09-1468
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David Plumley v. Monsanto Co., et al., C.A. No. 3:09-1474
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Arnold Persinger v. Monsanto Co., et al., C.A. No. 3:09-1476
Mary Young, etc. v. Monsanto Co., et al., C.A. No. 3:09-1477
Paul Stowers v. Monsanto Co., et al., C.A. No. 3:09-1478
Gloria Puckett v. Monsanto Co., et al., C.A. No. 3:09-1479
Marie Phillips v. Monsanto Co., et al., C.A. No. 3:09-1480
Carolyn Tipton v. Monsanto Co., et al., C.A. No. 3:09-1481
Gloria Strait v. Monsanto Co., et al., C.A. No. 3:09-1482
Sharon Puffenbarger v. Monsanto Co., et al., C.A. No. 3:09-1483
Bessie Roberts v. Monsanto Co., et al., C.A. No. 3:09-1485
Ronald Robson v. Monsanto Co., et al., C.A. No. 3:09-1486
Sherri Sutherland v. Monsanto Co., et al., C.A. No. 3:09-1487
Kelly Reimert v. Monsanto Co., et al., C.A. No. 3:09-1488
Betty Tyson v. Monsanto Co., et al., C.A. No. 3:09-1491
Lewis Taylor v. Monsanto Co., et al., C.A. No. 3:09-1492
William Thompson v. Monsanto Co., et al., C.A. No. 3:09-1493
Katherine Smith v. Monsanto Co., et al., C.A. No. 3:09-1494
Joan Smith v. Monsanto Co., et al., C.A. No. 3:09-1496
Susan Smith v. Monsanto Co., et al., C.A. No. 3:09-1498
Philander Smith v. Monsanto Co., et al., C.A. No. 3:09-1499
Pamela Simms v. Monsanto Co., et al., C.A. No. 3:09-1500
Karen Vaughan v. Monsanto Co., et al., C.A. No. 3:09-1501
Elizabeth Watson v. Monsanto Co., et al., C.A. No. 3:09-1502
Patricia Westfall v. Monsanto Co., et al., C.A. No. 3:09-1503
Michael Zitzelsberger v. Monsanto Co., et al., C.A. No. 3:09-1504
Dwight Wilborne v. Monsanto Co., et al., C.A. No. 3:09-1505
Ronald Withrow v. Monsanto Co., et al., C.A. No. 3:09-1506
Victoria Wood v. Monsanto Co., et al., C.A. No. 3:09-1507
Vada Zitzelsberger v. Monsanto Co., et al., C.A. No. 3:09-1508
James Wolfe v. Monsanto Co., et al., C.A. No. 3:09-1509
Guy Wilkinson v. Monsanto Co., et al., C.A. No. 3:09-1510
Rickie Winter v. Monsanto Co., et al., C.A. No. 3:09-1511

PROCEDURES FOR ORAL ARGUMENT BEFORE THE
UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

All oral argument is governed by the provisions of Rule 16.1 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation (effective April 2, 2001). Rule 16.1(g) allows a maximum of twenty minutes for oral argument in each matter. In most cases, however, less time is necessary for the expression of all views and the Panel reserves the prerogative of reducing the time requested by counsel. Accordingly, counsel should be careful not to overstate the time requested for oral argument.

The Panel insists that counsel limit all oral argument to the appropriate criteria. See generally In re “East of the Rockies” Concrete Pipe Antitrust Cases, 302 F. Supp. 244, 255-56 (J.P.M.L. 1969) (concurring opinion) (discussion concerning criteria for transfer).

Rule 16.1 is duplicated in its entirety hereafter for your convenience.

RULE 16.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Hearing sessions of the Panel for the presentation of oral argument and consideration of matters taken under submission without oral argument shall be held as ordered by the Panel. The Panel shall convene whenever and wherever desirable or necessary in the judgment of the Chairman. The Chairman shall determine which matters shall be considered at each hearing session and the Clerk of the Panel shall give notice to counsel for all parties involved in the litigation to be so considered of the time, place and subject matter of such hearing session.

(b) Each party filing a motion or a response to a motion or order of the Panel under Rules 7.2, 7.3, 7.4 or 7.6 of these Rules may file simultaneously therewith a separate statement limited to one page setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned "Reasons Why Oral Argument Should [Need Not] Be Heard," and shall be filed and served in conformity with Rules 5.12 and 5.2 of these Rules.

(c) No transfer or remand determination regarding any action pending in the district court shall be made by the Panel when any party timely opposes such transfer or remand unless a hearing session has been held for the presentation of oral argument except that the Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument.

Unless otherwise ordered by the Panel, all other matters before the Panel, such as a motion for reconsideration, shall be considered and determined upon the basis of the papers filed.

(d) In those matters in which oral argument is not scheduled by the Panel, counsel shall be promptly advised. If oral argument is scheduled in a matter the Clerk of the Panel may require counsel for all parties who wish to make or to waive oral argument to file and serve notice to that effect within a stated time in conformity with Rules 5.12 and 5.2 of these Rules. Failure to do so shall be deemed a waiver of oral argument by that party. If oral argument is scheduled but not attended by a party, the matter shall not be rescheduled and that party's position shall be treated as submitted for decision by the Panel on the basis of the papers filed.

(e) Except for leave of the Panel on a showing of good cause, only those parties to actions scheduled for oral argument who have filed a motion or written response to a motion or order shall be permitted to appear before the Panel and present oral argument.

(f) Counsel for those supporting transfer or remand under Section 1407 and counsel for those opposing such transfer or remand are to confer separately prior to the oral argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication.

(g) Unless otherwise ordered by the Panel, a maximum of twenty minutes shall be allotted for oral argument in each matter. The time shall be divided equally among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

(h) So far as practicable and consistent with the purposes of Section 1407, the offering of oral testimony before the Panel shall be avoided. Accordingly, oral testimony shall not be received except upon notice, motion and order of the Panel expressly providing for it.

(i) After an action or group of actions has been set for a hearing session, consideration of such action(s) may be continued only by order of the Panel on good cause shown.